

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Civil Action No. 1:17-CV-00127-LCB-JLW

DARRELL A. CONNOR, Individually)
and as Executor of the Estate of)
CHARLES FRANKLIN CONNOR,)
Deceased,)
Plaintiff,)
v.)
NORFOLK SOUTHERN RAILWAY)
COMPANY, et al.,)
Defendants.)

)

**JOINT MOTION TO DISMISS
WITHOUT PREJUDICE**

NOW COME Plaintiff Darrell A. Connor, Individually and as Executor of the Estate of Charles Franklin Connor, Deceased and Defendant Mine Safety Appliances Company, LLC (hereinafter "MSA"), by and through their undersigned counsel, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and hereby move the Court for an order dismissing all claims against MSA, and no others in this civil action, without prejudice and with each party bearing their own attorneys' fees and costs.

This the 10th day of January, 2018.

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*Attorney for Defendant Mine Safety Appliances
Company, LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **JOINT MOTION TO DISMISS WITHOUT PREJUDICE** was served on all parties by electronically filing through the Clerk of Court using the CM/ECF system which will cause service to be made on all counsel of record.

This 10th day of January, 2018.

/s/ Kevin L. Chignell

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